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Remarks/Arguments

Upon entry of the accompanying amendments, claims 17-29 will be pending in this application. Claims 1-16 are rejected in the Office Action of June 26, 2008, and are cancelled herein. Claims 6-7 are objected to, but are indicated as including allowable subject matter. Applicant appreciates the Examiner's indication of allowable subject matter. Claims 17-29 are newly added herein to more particularly point out and distinctly claim the subject matter Applicant regards as the invention.

Re: Claims 1 and 8

Claims 1 and 8 are rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,644,505 issued to Soutar et al. (hereinafter, "Soutar"). This rejection is deemed moot in view of the cancellation of claims 1 and 8 herein.

Re: Claims 2-3, 5, 9-10, 12 and 14-15

Claims 2-3, 5, 9-10, 12 and 14-15 are rejected under 35 U.S.C. §103(a) as being unpatentable over Soutar in view of U.S. Patent No. 4,710,917 issued to Tompkins et al. (hereinafter, "Tompkins"). This rejection is deemed moot in view of the cancellation of claims 2-3, 5, 9-10, 12 and 14-15 herein.

Re: Claims 4 and 16

Claims 4 and 16 are rejected under 35 U.S.C. §103(a) as being unpatentable over Soutar in view of Tompkins, and further in view of U.S. Patent No. 4,427,847 issued to Hofmann et al. (hereinafter, "Hofmann"). This rejection is deemed moot in view of the cancellation of claims 4 and 16 herein.

Re: Claim 13

Claim 13 is rejected under 35 U.S.C. §103(a) as being unpatentable over Soutar in view of U.S. Patent No. 6,931,120 issued to Leshner et al. (hereinafter, "Leshner"). This rejection is deemed moot in view of the cancellation of claim 13 herein.

Re: Claim 11

Claim 11 is rejected under 35 U.S.C. §103(a) as being unpatentable over Soutar in view of U.S. Patent Publication No. 2002/0030871 by Anderson et al. (hereinafter, "Anderson"). This rejection is deemed moot in view of the cancellation of claim 11 herein.

Re: Newly Added Claims 17-29

Claims 17-29 are newly added herein, and are deemed allowable over the prior art of record. In particular, newly added independent claim 17 is based on a combination of previously presented claims 1 and 6, which combination is indicated by the Examiner as being allowable, and recites steps of:

"powering on the appliance;
providing, via the appliance, a carrier signal to the first audio port of the appliance after the appliance is powered on;
detecting, via the appliance, if the carrier signal is looped back to the second audio port of the appliance;
if no carrier signal is detected, turning off the carrier signal and switching the appliance to a normal operating mode; and
if the carrier signal is detected, operating the appliance in a test mode with a control computer."

Newly added independent claim 23 alternatively defines the present invention as an appliance and recites:

"a first audio output port operative to output a first analog audio output signal, and to receive a digital test signal from an external computer for testing the appliance;
a second audio output port operative to output a second analog audio output signal, and to output a response signal to the digital test signal;
a first circuit associated with the first audio output port for separating the digital test signal from the first analog audio output signal; and
a second circuit associated with the second audio output port for combining the response signal with the second analog audio output signal."

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Newly added independent claim 28 also alternatively defines the present invention and recites steps of:

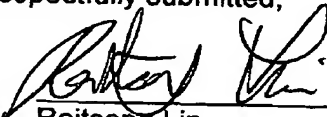
"using the first stereo output port to output a first analog stereo output signal, and to receive a digital test signal for testing the appliance;
using the second audio output port to output a second analog stereo output signal, and to output a response signal to the digital test signal; and
wherein the digital test signal is modulated onto a carrier frequency above 20 kHz."

None of the cited references (i.e., Soutar, Tompkins, Hofmann, Leshner, Anderson), whether taken individually or in combination, teaches or suggests the subject matter of newly added independent claims 17, 23 and 28 (or their respective dependent claims). Accordingly, newly added claims 17-29 are deemed patentable, and allowance of these newly added claims is respectfully requested.

Conclusion

In view of the foregoing remarks/arguments and accompanying amendments, the Applicant believes this application stands in condition for allowance. Accordingly, reconsideration and allowance are respectfully solicited. If, however, the Examiner is of the opinion that such action cannot be taken, the Examiner is invited to contact the Applicant's attorney at (609) 734-6813, so that a mutually convenient date and time for a telephonic interview may be scheduled. Please charge the fee for a one (1) month extension of time to Deposit Account 07-0832.

Respectfully submitted,


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